

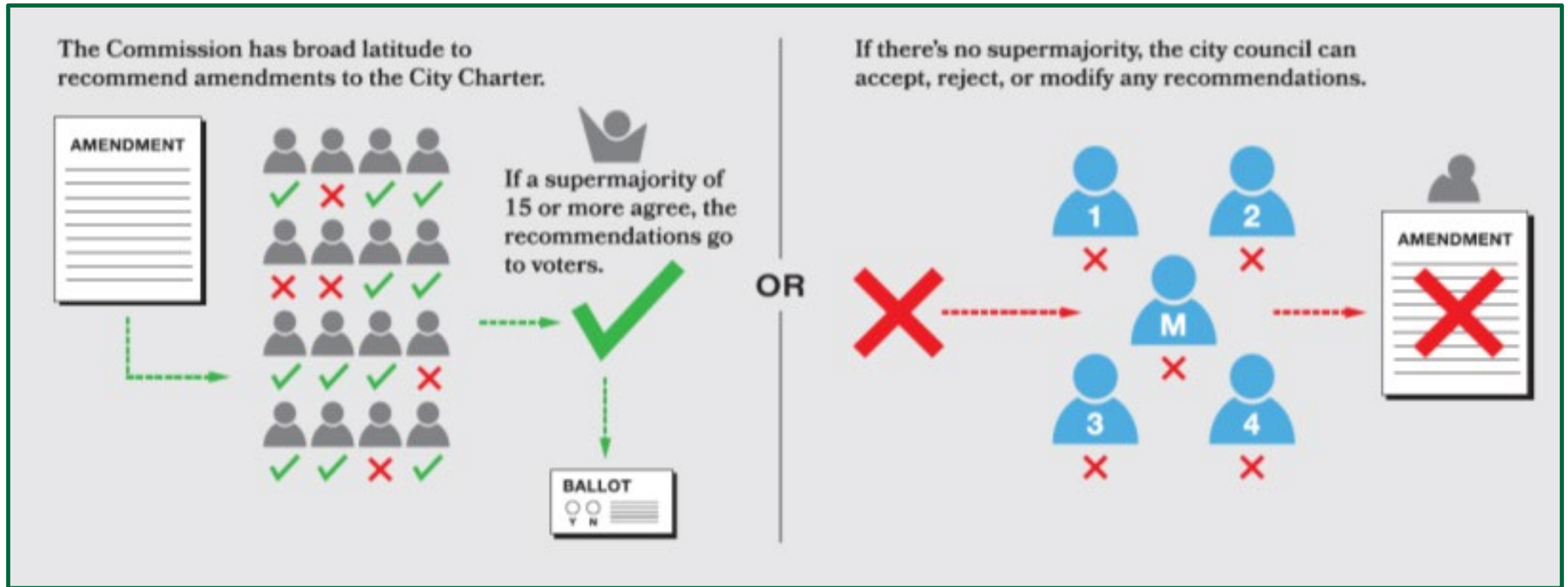
PORTLAND CHARTER COMMISSION



**Report to
City Council**

January 2023

Authority





ENGAGEMENT BY THE NUMBERS

Engagement	Number
Survey responses	4,022
People receiving monthly email updates	1,564
Community listening sessions (partner & Commission hosted)	28
Participants at listening sessions (partner & Commission hosted)	773
Public comments received	1,984
Hours of verbal public comment	21.5
Public meetings + hearings	107
Charter review briefings & presentations	133
Policy discussions with community organizations	40
Media articles or interviews	337



PHASE I: PROPOSAL TO CHANGE CITY GOVERNMENT

(Measure 26-228)

1

Allowing voters to rank candidates in order of their preference, using ranked choice voting

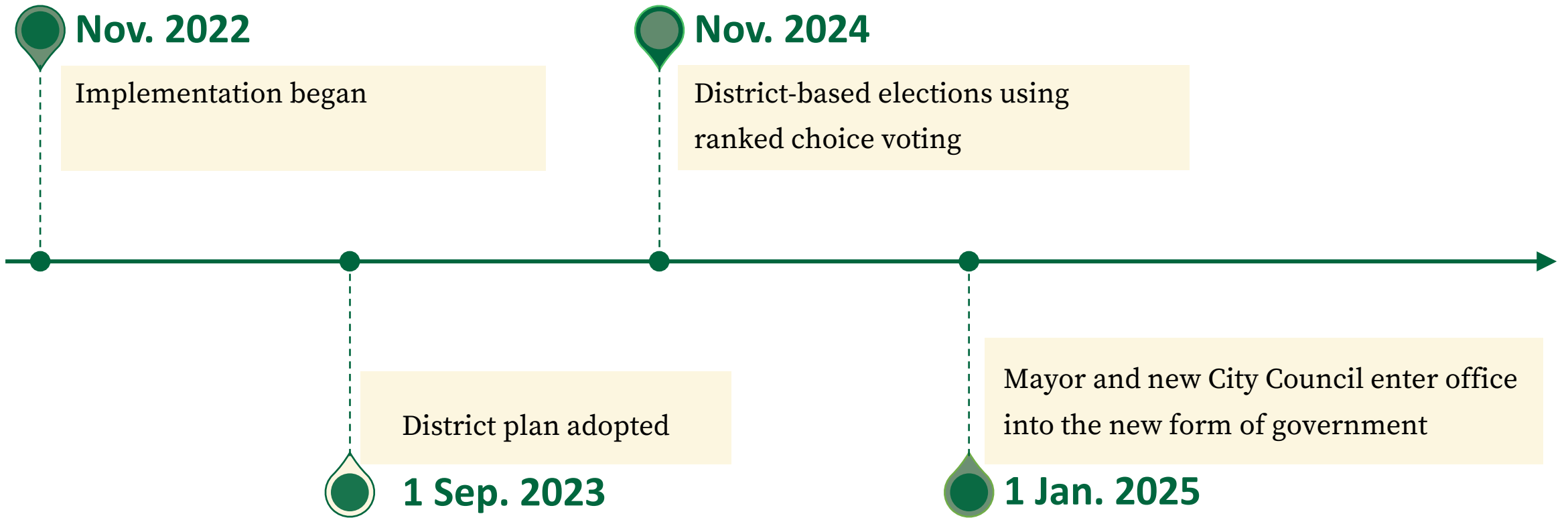
2

Four new geographic districts with three members elected to represent each district, expanding the city council to 12 members

3

A **city council** that focuses on setting policy and a **mayor** elected citywide to run the city's day-to-day operations, with the help of a **professional city administrator**

PHASE I IMPLEMENTATION TIMELINE





Phase I Transition Priorities

- Implement the will of the voters
- Opportunity to repair trust with Portlanders
- Continue the public engagement of the Charter Commission
- Need for comprehensive community education



Phase II



Referred Proposals 1-3

1

Delete the prohibition on mandating weatherization of structures built before September 1, 1979.

2

Create an Independent Portland Elections Commission.

3

Delete outdated, burdensome and redundant requirements for franchise agreements.



Referred Proposals 4-6

4

Delete vague and archaic language: “roaming the streets at unseasonable hours”.

5

Delete vague and archaic language: “offensive” businesses.

6

Update, and make consistent, references to “protected classes”.



Referred Proposals 7-9

- 7 Replace “disability” with “incapacity” when referencing an elected official’s inability to perform their duties.
- 8 Clarify language to reflect the City’s existing role to protect recreational and natural resources.
- 9 Clarify language to reflect the City’s existing role to protect and manage water, sewage, and stormwater.



November 2024 Ballot Measures

Ballot Measure	Proposal(s)
Ballot Measure 1	Delete the prohibition on mandating the weatherization of structures built before September 1, 1979.
Ballot Measure 2	Create an Independent Portland Elections Commission.
Ballot Measure 3	Delete outdated, burdensome, and redundant requirements for franchise agreements.
Ballot Measure 4	<ul style="list-style-type: none">• Delete vague and archaic language: “roaming the streets at unseasonable hours”.• Delete vague and archaic language: “offensive” businesses.• Update, and make consistent, references to “protected classes”.• Replace “disability” with “incapacity” when referencing an elected official’s inability to perform their duties.
Ballot Measure 5	<ul style="list-style-type: none">• Clarify language to reflect the City’s existing role to protect recreational and natural resources.• Clarify language to reflect the City’s existing role to protect and manage water, sewage, and stormwater.



Elections Approximate Timeline

Auditor report to Council with redlined charter and progress report	January 19
City Attorney drafts ballot title and explanatory statement (5 business days to complete from time of submission)	January 24-30
Ballot title and explanatory statement to Auditor	No later than January 30
City Elections Official publishes ballot title challenge notice in newspaper (Oregonian)	Next available edition
Ballot title challenge period (7 business days from filing with Auditor)	January 31- February 7
Ballot title challenger notifies City Elections Official of filing	1 business day
City Elections Official files Notice of Measure with County Elections Official (upon completion/resolution of ballot title challenge process) <i>(triggers political activity restrictions)</i>	TBD but anticipates September 2024
Election Day	November 2024



Voter Education

- Build off the voter education for measure 26-228
- Work with community groups
- Housekeeping changes versus substantive changes



Phase II recommendations to Council



P1: Remove the 5% cap on transient lodgings tax.

Section 7-113. Transient Lodgings Tax.

1. The Council may by ordinance impose and levy a tax ~~not exceeding five percent~~ on gross amounts of money, credit or other things of value paid to or received for lodging by the owner or operator of any hotel, motel, apartment or lodging house, mobile home or trailer park or court, or any other place in the City where space designed or intended for lodging occupancy is rented by any person or persons, for any period less than monthly. This tax shall not apply to hospitals, convalescent or nursing homes, or public institutions, or permanent occupancy as defined by ordinance. Minimum rentals to which the tax shall apply may be fixed by ordinance. The tax imposed shall be collected by the owner or operator of the rental space in addition to the rental charge, at the time of payment of rent. City revenues from such taxes shall be credited to the General Fund of the City and used for general City purposes, as the Council may find appropriate, which may include provision for and the acquisition, construction, operation and maintenance of recreational, cultural, convention or tourist-related facilities or services.



P2: Create an article dedicated to environmental issues that includes environmental justice as a core value of the City, requires the City to assess the climate impact of its decisions and establishes a right to a clean and healthy environment.

ARTICLE 11. ENVIRONMENT.

Section 11-1101. Environmental Justice.

Environmental justice is a core value of the City. Environmental justice means the fair treatment and meaningful involvement of all people, regardless of protected classes under local ordinance, or state or federal law, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice is achieved when all Portland residents enjoy the same degree of protection from environmental and health hazards and equal access to the decision-making process to have a healthy environment in which to live, work, learn, and play. The City Council may adopt additional core values of the City.



P2: Create an article dedicated to environmental issues that includes environmental justice as a core value of the City, requires the City to assess the climate impact of its decisions and establishes a right to a clean and healthy environment.

Section 11-1102. Climate Commitment.

The City must establish climate action goals. By July 2026, the City must assess the climate impact of its decisions. The assessment must integrate environmental justice and the best available science. The assessment must evaluate City projects and policies; help prevent City projects and policies inconsistent with the City's climate action goals; and ensure decisions are informed, particularly decisions that impact capital investments or areas where the City exercises environmental, safety, land use, zoning, or design review authority.

The City must actively manage the decline of fossil fuel use within its boundaries, consistent with environmental justice, public health, seismic resiliency, and the best available science.

Section 11-1103. Environmental Right.

All Portland residents including those of future generations have a right to a clean and healthy environment. The City must equitably protect this right for all its residents.



P3: Establish meaningful public engagement as a core value of the City.

Section 1-108 Public Engagement.

Meaningful public engagement is a core value of the City. Meaningful public engagement means regular, consistent, transparent, and accessible mechanisms for residents to engage on issues that directly impact communities, and to have resident voices heard and integrated in making laws and policies. Meaningful public engagement is achieved when all Portland residents enjoy the same degree of access to the City's decision-making processes. The City Council may adopt additional core values of the City.



P4: Require the City to create by ordinance a participatory budgeting program open to all residents.

Section 2-129. Participatory Budgeting

To further public engagement and democratic involvement in city spending, the City must create by ordinance a participatory budgeting program open to all residents, consistent with the Oregon Local Budget Law. Annual funding for the program must be no less than 1% of the City's General Fund discretionary ongoing resources, and the public's funding allocation decisions must be binding. The program must begin operating no later than July 2026.



P5: Expand right to vote in City elections to the fullest extent allowed by law.

Section 3-111

The City must extend the right to vote, including but not limited to extending the right to vote to noncitizens, in elections for City elected officials and on City measures, to the fullest extent allowed by law. The City must conduct periodic voter education campaigns to familiarize voters with voter eligibility.

P6: Create an Office of the Transparency Advocate.

CHAPTER 2 – GOVERNMENT

ARTICLE 5. THE AUDITOR.

Section 2-514. Office of the Transparency Advocate.

(a) The Office of the Transparency Advocate is established within the Office of the Auditor. The Office of the Transparency Advocate shall be under the supervision and control of the Auditor, who is solely responsible for its operation and management. The purpose of the Transparency Advocate is to provide an impartial office, readily available to the public, that is authorized to safeguard the rights of persons to know about and participate in their government and promoting high standards of efficiency, accountability and transparency in the provision of City services.

(b) The Auditor shall appoint and may remove the Transparency Advocate with confirmation by a majority vote of City Council. The Transparency Advocate can only be removed with cause.

(c) The Office of the Transparency Advocate shall be guided by generally accepted standards for government transparency advocates or ombudsman offices serving the public's interest in access to information about government decisions and operations.

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P6: Create an Office of the Transparency Advocate.

(d) Pursuant to a complaint or on the Transparency Advocate's own initiative, the Advocate is authorized to investigate any administrative act of a City department, bureau or other administrative agency relevant to records or transparency, including the Office of the Auditor; recommend changes to City policy, practice or procedures; and issue public reports. The Advocate is empowered to have access to all city records, even those which are confidential, though confidential records received must be protected from disclosure as prescribed by law.

(e) Subject to collective bargaining obligations to the City's recognized bargaining units, the Transparency Advocate shall have timely access to all employees, information and records required to investigate or otherwise perform the Transparency Advocate's duties, including confidential and legally privileged information and records so long as privilege is not waived as to third parties. The Transparency Advocate shall maintain the confidentiality of any confidential or legally privileged information and records except as called for by state law or authorized by the City Council.

(f) A City department, bureau and agency director or manager shall respond in writing to Transparency Advocate recommendations within the time specified by the Transparency Advocate.

(g) The powers and duties of the Transparency Advocate may be further prescribed by ordinance in consultation with the Auditor. The powers and duties of the Transparency Advocate shall not be exercised in contravention of any collective bargaining obligations of the City.



NEXT STEPS

Phase I Transition

- Implement the will of the voters
- Opportunity to repair trust with Portlanders
- Continue the public engagement of the Charter Commission
- Need for comprehensive community education

Phase II Proposals Referred to Voters

- Build off the voter education for measure 26-228
- Work with community groups
- Housekeeping changes versus substantive changes

Phase II Proposals Recommended to City Council

- Ensure proposals are considered through open public processes